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**Present:** Mr. Michael Haberman, President; Mr. Satran, Vice President; Mrs. Jennifer Rosen; Mr. Paul Wasserman; Mrs. Jan Fisher

**Also Present:** Dr. James Kaishian, Superintendent of Schools; Ms. Linda Peters, Asst. Superintendent for Finance & Operations; Ms. David Shaw & Marc Sharff, School Attorneys; Juanita Brockett, District Clerk

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The Briarcliff Manor Board of Education held a meeting on Monday, June 6, 2016 in the Middle School Theater and was called to order by Mr. Haberman at 6:50 P.M.

On motion by Mr. Satran, seconded by Mrs. Fisher and passed 4-0, the Board moved to enter into executive session for the purpose of discussing the employment history of a particular person, potential litigation matters and to seek legal counsel.

Mrs. Rosen arrived at 6:57.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to return to public session at 7:30 P.M., to conduct the regular business meeting.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to amend the agenda by moving up the Presentation portion of the meeting to the top of the agenda.

### **PRESENTATIONS**

#### Special presentation by Mrs. McDermott's and Mrs. Magliulo's fourth grade Class

While studying the Native Americans, the students learned about the ways of the Natives to love, honor and respect Mother Earth. They wanted to become "Modern Day Native Americans." They decided to collect and recycle water bottles in hopes of raising enough money to buy a water bottle refilling station for Todd School. They didn't raise enough funds and decided to write a grant application to the BMEF for the remaining cost. The BMEF approved their grant and this summer a water bottle filling station will be installed at Todd School. The goal is to reduce plastic water usage and protect the environment.

Mr. McIntosh talked about the Tri-States Social Studies Initiative and also discussed the middle school library initiative.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to amend the agenda by moving up the Conferral of Tenure to ahead of the public comments section.

### **CONFERRAL OF TENURE**

On motion by Mr. Satran, seconded by Mrs. Fisher and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby confer tenure upon Jennifer Jacobs, in the tenure area of Todd Elementary School Asst. Principal, effective July 1, 2016.

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On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby confer tenure upon Kristen Samet, in the tenure area of Teacher of English 7-12 effective September 1, 2016.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby confer tenure upon Erin Mangan, in the tenure area of School Counselor, effective September 1, 2016.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education, does hereby confer tenure upon Sara Piersons, in the tenure area of School Counselor effective October 15, 2016.

### **WORK SESSION**

An All Call for members on the 2016-17 Audit Committee will be sent out to the community. Application deadline is June 17, 2016.

The Board discussed the proposed fees for the public use of the school facilities. More discussion at the next Board of Education meeting.

### **FINANCIAL WORK SESSION**

- The Board reviewed all budget transfers.
- The Board reviewed the Claims Audit Report submitted for April 2016.
- The Board reviewed the Financial reports for April 2016: treasurer's Report, Appropriation Status Report & Revenue Status Report.
- The Board reviewed the April 2016 Warrants: #11 Fund A; #10 Fund TA; #10 Fund H.
- The Board reviewed the General Fund expenditure and revenue reports for April 2016.
- The Board reviewed the draft minutes of the Audit Committee of the meeting held on June 2, 2016 and the final minutes of the meeting held on February 24, 2016.

### **APPROVAL OF MINUTES**

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 4-0, it is hereby

RESOLVED, that the Board of Education approve the minutes of the Budget Public Hearing held on Monday, May 9, 2016 as presented.

Mr. Satran abstained because he was not present for the hearing.

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On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is hereby

RESOLVED, that the Board of Education approve the minutes of the Board of Education business meeting held on Monday, May 9, 2016 as presented.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 3-0, it is hereby

RESOLVED, that the Board of Education approve the minutes of the special Board of Education meeting held on Friday, May 20, 2016 as presented.

Mrs. Rosen and Mr. Satran abstained because they were not present at the meeting.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is hereby

RESOLVED, that the Board of Education approve the minutes of the special Board of Education meeting held on Wednesday, June 1, 2016 as presented.

### **CONSENT AGENDA**

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to remove, from the consent agenda, the resolution approving a budget transfer in the amount of \$196,000 and vote on it individually.

Mr. Wasserman made a motion to remove, from the consent agenda, the resolution to Mr. Karp as Chair of the Facilities Committee Chair. Mr. Satran, seconded. On a vote of 2-3, the motion failed. Mr. Satran, Mrs. Rosen and Mrs. Fisher voted against the motion.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to approve the following consent agenda items as amended.

#### Donations

- (1) RESOLVED, that the Board of Education does hereby accept, with appreciation, the BMEF grand awarded to Nancy Kress in the amount of \$1,300 to attend the 2016 ACTFL Annual Convention and World Language Expo.
- (2) RESOLVED, that the Board of Education does hereby accept, with appreciation a check in the amount of \$1,000 from the Briarcliff PTA, on behalf of Leonard Kreppel, to be used for the Briarcliff High School.
- (3) RESOLVED, that the Board of Education does hereby accept, with appreciation a check in the amount of \$4.00 from the Box Tops for education fundraiser program to be used for Todd School general school supplies.
- (4) RESOLVED, that the Board of Education does hereby approve, with appreciation, the gift of two camera lenses from Alan and Bonnie Mitelman in the amount of \$140.00.

#### Personnel

- (1) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following part-time teachers for the 2016-2017 school year:

TEACHER	AREA	MIDDLE SCHOOL	HIGH SCHOOL	TODD ELEM	OTHER
Jessica Dubin	Art	.7			
John Fasano	Computer Science		.7		
Tamara Zimmer	Math	.2	.6		
Lindsay Zekus	Physical Education			.1	.1
Sondra Dolman	Speech & Language				.8 TA
					.6 MS/HS

- (2) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the following Substitute hiring rates for the 2016-2017 school year:

Substitute Cleaners/Groundskeepers	\$13 per hour
Substitute Clerical Workers	\$13 per hour
Substitute Nurses	\$125 per day
Substitute Teachers	\$90 per day (Days 1-23); \$100 per day (Day 24 +)
Short Term Substitute Teacher	\$120 per day

- (3) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the appointment of Mr. Stephen Cook, Teaching Assistant at the Middle School, to the position of Short Term Substitute Teacher for Robert Iovino effective May 24 through June 24, 2016. Mr. Cook will continue to receive his current TA salary in addition to \$75 per day for the first ten days and \$90 per day thereafter as per the BTA Contract.
- (4) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does here approve the appointment of Ms. Nancy Talia, Substitute Teacher at Todd Elementary, effective June 7, 2016.
- (5) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the increased FTE of Mrs. Rosaleen McCormack, Senior Office Assistant at the Middle School from .70 to 1.0 FTE at the Middle School effective July 1, 2016. Mrs. McCormack will be compensated at an annual salary of \$46,000.
- (6) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby accept the resignation of Mr. Joseph Schaffer, Teaching Assistant at Todd Elementary, effective June 30, 2016.
- (7) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby accept the resignation of Ms. Danielle Jennings, Lunch Monitor at Todd School, effective June 17, 2016.
- (8) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby appoints Louis Patack, Esq. as the Hearing Officer pursuant to Section 75 of the New York State Civil Service Law, with respect to Employee No. 77700310, and authorizes the Hearing Officer to hear evidence, make a transcript of proceedings and to issue a written report of his findings of fact and recommendations, including a disciplinary penalty, if any.

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BE IT FURTHER RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby suspends Employee No. 77700310, without pay, commencing on June 7, 2016, up to the maximum permitted by the New York State Civil Service Law during the months of the employee's paid work year and then with pay during the pendency of these proceedings, if during a time when the employee would otherwise be paid.

- (9) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby appoints Sheila Cole, Esq. as the Hearing Officer pursuant to Section 75 of the New York State Civil Service Law, with respect to Employee No. 77700205, and authorizes the Hearing Officer to hear evidence, make a transcript of proceedings and to issue a written report of her findings of fact and recommendations, including a disciplinary penalty, if any.

BE IT FURTHER RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education hereby suspends Employee No. 77700205, without pay, commencing on June 7, 2016, up to the maximum permitted by the New York State Civil Service Law during the months of the employee's paid work year and then with pay during the pendency of these proceedings, if during a time when the employee would otherwise be paid.

Health Services Contract

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the Health Services Contract with the **Yorktown Central School District** in the amount of \$1,100.42 for 1 Briarcliff student who attends private school in the Yorktown School District.

Financial Items

- (1) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby accept the Claims Audit Report for April 2016.
- (2) RESOLVED that, upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$15,000 to cover extra contractual cleaning expenses through June 30, 2016.
- (3) RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$13,883.22 to install curtain drains around the MS/HS parking lot.
- (4) RESOLVED, that upon the recommendation of the Audit Committee, the Board of Education does hereby accept the minutes of the Audit Committee meeting held on February 24, 2016.

Facilities Committee

- (1) RESOLVED, that the Board of Education does hereby accept the resignation, with appreciation, Dina Brantman for her tireless work as Chairperson of the Facilities Committee.
- (2) RESOLVED, that the Board of Education does hereby appoint Lawrence Karp as Chairperson of the Facilities Committee effective immediately.

**ACTION ITEMS**

Budget Transfer

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 4-1

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the budget transfer in the amount of \$196,000 to transition to new Mac platform to ensure a stable system for student laptops.

Mr. Wasseman voted Nay.

Certification of Budget Vote & Board Elections Results

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is hereby

RESOLVED, that the Board of Education does hereby affirm the results of the Budget Vote and School Board elections held on May 17, 2016 as referenced within the minutes of this meeting.

NYLAF – Amended Resolution

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to approve the following resolution:

Resolution of the Board of Education (“Governing Body”) of the Briarcliff Manor UFSD (“Participant”), authorizing the execution and delivery of an amended and restated Municipal Cooperation Agreement and related documents by and among the several municipal corporations, school district, fire districts and/or boards of cooperative educational services to provide for the cooperative temporary investment of public funds.

WHEREAS, the Participant, pursuant to the provisions of the General Municipal Law and its investment policy, after due investigation, evaluation and deliberation, has determined that it is in the best interest of the Participant to invest a portion of its public funds on a cooperative basis pursuant to the terms of a Municipal Cooperation Agreement dated as **of July 20, 2007** (the “Agreement”) among the Cheektowaga Central School District, as Lead Agent, and various other municipal corporations, under the trade name “New York Liquid Asset Fund” (“NYLAF”);

NOW, THEREFORE, be it resolved by the Governing Body (the “Finance Board”) of the Participant, located in Westchester County, State of New York, as follows:

**Section 1.** The terms, conditions and provisions of the Agreement attached hereto are hereby approved. The Assistant Superintendent of Finance & Operations (the “Chief Fiscal Officer”) of the Participant is hereby authorized to execute and deliver the Agreement, and the Chief Fiscal Officer is hereby authorized to affix the seal of the Participant thereto and attest such seal. The Chief Fiscal Officer is hereby authorized to from time to time effect and consent to such changes to the Agreement in the form attached hereto as may be necessary or convenient in order to further carry out the purposes of the Agreement or to clarify or correct the terms thereof. The Chief Fiscal Officer is hereby authorized to delegate the foregoing duties to his or her designees as authorized by the Law (as that term is defined in the Agreement), which designee is an authorized employee officer of the Participant.

Upon the execution in full and delivery of the Agreement, the Participant shall become a Participant, as that term is defined in the Agreement.

**Section 2.** Notwithstanding any term or provision of the Agreement to the contrary, the Participant may withdraw from the Agreement at any time upon thirty (30) days written notice to the Governing Board of NYLAF by the Chief Fiscal Officer and thereafter the Participant shall cease to have any rights or obligations under the Agreement.

**Section 3.** This resolution shall be effective immediately upon its due adoption by the Finance Board.

Tax Certs – Amended Resolutions

(1) Property Tax ID # 98.10-13

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 4-1

- (a) RESOLVED, that the Board of Education does hereby authorize the refund of taxes in the amount of \$41,643.83 due for the property with tax identification number 98.10-1-3 as required by the terms of the Consent Judgment.

BE IT FURTHER RESOLVED, that the Board of Education does hereby approve an increase to budget line A1930.400 (Judgment and Claims) in the amount of \$35,694.71.

This expenditure represents tax certiorari refunds due for the 2010-11 through 2011-12 school tax years in accordance with the terms of the Consent Judgment and will be funded from the Tax Certiorari Reserve.

Mr. Wasserman voted Nay.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 4-1

- (b) RESOLVED, that the Board of Education does hereby authorize the refund of taxes in the amount of \$63,662.79 due for the property with tax identification number 98.10-1-3 as required by the terms of the Consent Judgment.

BE IT FURTHER RESOLVED, that the Board of Education does hereby approve an increase to budget line A1930.400 (Judgment and Claims) in the amount of \$54,568.11.

This expenditure represents tax certiorari refunds due for the 2012-13 through 2014-15 school tax years in accordance with the terms of the Consent Judgment and will be funded from the Tax Certiorari Reserve.

Mr. Wasserman voted Nay.

(2) Tax Cert Settlement Agreement Amended Resolution - ID 98.10, Block 1, Lot 3

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 4-1

RESOLVED, that the Board of Education consents to the settlement of the related tax certiorari proceedings in accordance with the terms of the Stipulations of Settlement and authorizes its attorneys, Shaw, Perelson, May & Lambert, LLP to execute same;

AND IT IS FURTHER RESOLVED, that the Board authorizes the refund of taxes in the amounts of \$41,643.83 and \$63,662.79 for a total refund of \$105,306.62 as required by the terms of the Order and Judgment.

Mr. Wasserman voted Nay.

Summer Transportation Contracts

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is hereby

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the renewal of the SUMMER TRANSPORTATION CONTRACT, with THE BRIARCLIFF BUS COMPANY, which was originally bid on June 8, 2015. There will be no increase in the pricing for the summer of 2016.

VEHICLE	BASE BID (per day cost for a minimum of two(2) live hours)	EXCESS HOURS (daily charge for each excess live hour above two (2) live hours payable in 15 minute increments)
16-21 Passenger A/C Van	\$228.78	\$30.00
5-7 Passenger A/C Sedan/Minivan	\$228.78	\$30.00
ATTENDANT/MONITOR	BID	
Live Hour Rate	\$31.75	
(paid live hours will be the same as the number of paid live hours of the bus or van)		

Contract Extensions for cleaning and fence work

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the extension of the following contracts, with a CPI increase of 1.2%,

CONTRACT CLEANING		1.2% increase
<b>Chi-Ada Corp.</b>	2015/16	2016/17
Total bid amount – Todd	\$87,146.28	\$88,192.04
MS / HS	\$134,869.05	\$136,487.48
TOTAL	\$222,015.33	\$224,679.52
Rate / extra hours as needed	\$30.88	\$31.25

Year 2 of 3 year contract

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FENCE WORK		1.2% increase
<b>WBE Fence Company, Inc.</b>	2015/16	2016/17



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Hourly rate	\$81.96	\$82.94
Material Mark-up	5%	5%
Year 3 of 3 year contract		

Contract extension for Masonry Work

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is

RESOLVED, that upon the recommendation of the Superintendent of Schools, the Board of Education does hereby approve the extension of the following contract with a CPR increase of 1.2%.

		1.2% increase
<b>MASONRY WORK</b>		
<b>Landi Contracting</b>	<b>2015/16</b>	<b>2016/17</b>
Mason Hourly rate	\$125.00	\$126.50
Laborer Hourly rate	\$95.00	\$96.14
Material Mark-up	20%	20%
Year 3 of 3 year contract		

UStream TV Inc Contract Renewal

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, it is

RESOLVED, that the Board President or Superintendent of Schools is authorized to execute an Agreement (Sales Order and its terms and conditions) with USTREAM TV , Inc. for the broadcasting live streams via the web for the period from June 2, 2016 through May 31, 2017 at an annual cost of \$4,788 as presented to the Board at this meeting. A copy of such Agreement shall be incorporated by reference within the minutes of this meeting.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to adjourn the public meeting at 11:45 P.M and enter into executive session for the purpose of discussing the employment history of a particular person.

On motion by Mr. Satran, seconded by Mr. Wasserman and passed 5-0, the Board moved to appoint Mrs. Rosen as Clerk Pro Tem.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to adjourn the executive session at 12:15 A.M., and return to public session.

On motion by Mr. Satran, seconded by Mrs. Rosen and passed 5-0, the Board moved to adjourn the meeting at 12:15 A.M.